



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

January 24, 2007

Stan Huckaby, Treasurer
National Republican Senatorial Committee
425 Second Street NE
Washington, DC 20002

Response Due Date:
February 26, 2007

Identification Number: C00027466

Reference: 12 Day Pre-General Report (10/1/06-10/18/06)

Dear Mr. Huckaby:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule A supporting Line(s) 11(c) of your report discloses a receipt(s) from "CHAMBLISS FOR US SENATE 2008," "DAVID VITTER FOR US SENATE," "ENSIGN FOR SENATE," "FRIENDS OF GORDON SMITH," "GRASSLEY COMMITTEE," "GRASSLEY COMMITTEE," "KAY BAILEY HUTCHINSON FOR SENATE COMMITTEE," "LINDSEY GRAHAM FOR SENATE," "MARTINEZ FOR SENATE," "TEAM SUNUNU," "THE JUDD GREGG COMMITTEE" and "WAYNE ALLARD FOR SENATE" which requires further clarification. For example, if this activity represents a transfer of funds, please indicate "transfer" on Schedule A supporting Line 11(c) of your report. If this activity represents a reimbursement for services provided to this committee, please indicate this on Schedule A supporting Line 15 of your report. Please amend your report to clarify the type of activity this receipt(s) represents.

-The limitation on making coordinated party expenditures on behalf of a **Senate** candidate in the State of Maryland, Michigan, Missouri, Pennsylvania and Virginia for the 2006 general election is \$332,500.00, \$601,800.00, \$350,300.00, \$761,500.00 and \$455,000.00, respectively. Your reports, however, disclose coordinated party expenditures made on behalf of "STEELE, MICHAEL," "BOUCHARD, MIKE," "TALENT, JAMES," "SANTORUM, RICK" and "ALLEN, GEORGE" totaling

\$661,935.00, \$820,058.00, \$593,540.00, \$1,505,050.00 and \$660,140.00, respectively, which appear to exceed the limitations under 2 U.S.C. §441a(d) (see attached).

If any apparently excessive expenditure in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If you have made an excessive coordinated party expenditure, you must notify the candidate and request a refund of the amount in excess of the limitation.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund request sent to the candidate. In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received.

Although the Commission may take further legal action concerning the excessive coordinated party expenditures, prompt action in obtaining a refund will be taken into consideration.

-Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(c) prohibit a political committee which is established and maintained by a national political party, and any affiliated committees, from accepting contributions from a person or non-multicandidate political committee in excess of \$26,700 in a calendar year.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal

elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

-Schedule E discloses independent expenditures on behalf of a federal candidate(s). Schedule F of this report discloses coordinated expenditures on behalf of the same candidate(s). Under 2 U.S.C. §431(17), an "independent expenditure" is defined as:

... an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate; and that is not made in concert or cooperation with or at the request or suggestion of such candidate, the candidate's authorized committee, or their agents, or a political party committee or its agents.

Further, 11 CFR §109.21 outlines the factors which define a coordinated communication. Please verify that the independent expenditures made by your Committee in support of "TALENT, JAMES" meet the definition of and were properly categorized as independent expenditures. If necessary, amend your reports to disclose the aforementioned transactions as in-kind contributions (Schedule B supporting Line 23 of the Detailed Summary Page) or coordinated expenditures (Schedule F supporting Line 25 of the Detailed Summary Page).

If the reclassification of these expenditures as in-kind contributions results in excessive contributions, the Commission recommends that you notify the candidate(s) and request a refund of the amount in excess of \$37,300.00 per campaign. If the reclassification of these expenditures as coordinated expenditures results in your committee exceeding the limitations under 2 U.S.C. §441a(d), the Commission recommends that you notify the candidate(s) and request a refund of the amount in excess of the expenditure limitation.

Please inform the Commission of any corrective action immediately in writing and provide a photocopy of your refund request(s) sent to the candidate(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received.

-Schedule B supporting Line 28(a) discloses a refund of a contribution made to "ELLIS, BRUCE D" and "OCHSHORN, YASMIN." However, it appears that this contribution was not previously reported by your committee. Please amend the appropriate report(s) to disclose the original date of the contribution on Schedule A supporting Line 11(a)(i) of the Detailed Summary Page.

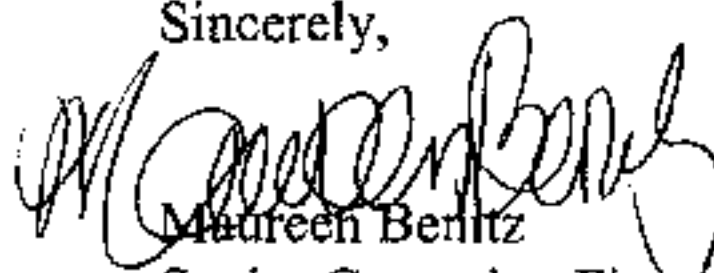
-Please clarify all expenditures made for "CATERING," "DIRECT MAIL EXPENSE," "FACILITY RENTAL," "FACILITY RENTAL/CATERING," "FUNDRAISING CONSULTING," and "PRINTING EXPENSE" on Schedule B. If a portion or all of these expenditures were made on behalf of specifically identified federal candidates, this amount should be disclosed on Schedules B, E or F supporting Lines 23, 24 or 25 and include the amount, name, address and office sought by each candidate.
11 CFR §§104.3(b) and 106.1

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any

questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694- 1135.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maureen Benitz', is written over the typed name.

Maureen Benitz

Senior Campaign Finance Analyst
Reports Analysis Division

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Excessive Receipt (s) from Individuals:

Contributor Name	Date	Amount	Report
KALIKOW, MARY J	07/25/06	\$16,000.00	August Monthly
KALIKOW, MARY J	07/28/06	\$10,000.00	August Monthly
KALIKOW, MARY J	10/13/06	\$5,000.00	12 Day Pre-General

SIMON, DENISE	06/02/06	\$150.00	July Monthly
SIMON, DENISE	06/07/06	\$5,000.00	July Monthly
SIMON, DENISE	08/29/06	\$20,000.00	September Monthly
SIMON, DENISE	10/18/06	\$6,500.00	12 Day Pre- General

VILLERE, MARGIE	05/25/06	\$5,000.00	June Monthly
VILLERE, MARGIE	09/22/06	\$1,000.00	October Monthly
VILLERE, MARGIE	10/05/06	\$2,500.00	12 Day Pre-General
VILLERE, MARGIE	10/09/06	\$20,000.00	12 Day Pre-General

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